

HOUSE BILL No. 1410

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-21-8-59.

Synopsis: Telecommunications devices while driving. Provides that a person may not use a telecommunications device while operating a moving motor vehicle, with certain exceptions.

Effective: July 1, 2015.

Forestal

January 14, 2015, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-21-8-59, AS AMENDED BY P.L.191-2014,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 59. (a) A person may not use a
4 telecommunications device ~~to:~~
5 (1) ~~type a text message or an electronic mail message;~~
6 (2) ~~transmit a text message or an electronic mail message; or~~
7 (3) ~~read a text message or an electronic mail message;~~
8 while operating a moving motor vehicle unless the device is used in
9 conjunction with hands free or voice operated technology, or unless the
10 device is used to call 911 to report a bona fide emergency.
11 (b) A police officer may not, without the consent of the person:
12 (1) confiscate a telecommunications device for the purpose of
13 determining compliance with this section;
14 (2) confiscate a telecommunications device and retain it as
15 evidence pending trial for a violation of this section; or



- 1 (3) extract or otherwise download information from a
2 telecommunications device for a violation of this section unless:
3 (A) the police officer has probable cause to believe that the
4 telecommunications device has been used in the commission
5 of a crime;
6 (B) the information is extracted or otherwise downloaded
7 under a valid search warrant; or
8 (C) otherwise authorized by law.

